

EXTERNAL (for general distribution)

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Further information on UA 93/93 (AFR 53/10/93, 30 March 1993) - and follow-up (AFR 53/18/93, 20 May) - Legal Concern

SOUTH AFRICA:Police and Prison Officers Civil Rights Union of South Africa (POPCRU)

**Zwi MDLETSHE, Assistant General Secretary, POPCRU
Mnikelwa NXELE, Regional Chairperson, POPCRU
Bhekani NGUBO, Regional Secretary, POPCRU
Vusi NDLOVU, Regional Treasurer, POPCRU
Armstrong NAWA, POPCRU member
Elvis Mboniswa NENE, POPCRU member
13 other POPCRU members and officials (names unknown)**

On 29 September 1993 the Supreme Court in Pietermaritzburg ordered the immediate reinstatement of the prison warders who had been summarily dismissed from service at Pietermaritzburg Prison in February. After hearing evidence from the State and from lawyers representing the dismissed warders, the presiding judge, Mr Justice Shearer, ruled that the warders had been dismissed without a proper hearing and that the dismissals were consequently invalid. The court ordered the State to pay the legal costs involved in this review hearing.

As already noted in AFR 53/18/93 (20 May 1993), Zwi Mdletshe and his co-accused were acquitted of all charges against them in the Pietermaritzburg magistrate's court. Prior to their trial the defendants had been denied the right to a bail hearing by the Attorney General using his powers under the 1992 Criminal Law Second Amendment Act. Although a Supreme Court judge ruled on 5 April 1993 that the Attorney General had used his powers validly, lawyers representing the POPCRU defendants have applied for leave to appeal against this ruling. As far as Amnesty International is aware, the matter has not been finally resolved.

No further action is required. Thanks to everyone in the Urgent Action Network who worked on this case.